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EXAMINER

RIES, LAURIE ANNE

ART UNIT PAPER NUMBER

2176

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,939

Applicant(s)

MERRIL, JONATHAN R.

Examiner

Laurie Ries

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to communications: amendment, filed 23 December 2004, to the original application filed 20 September 2001.

The objection to the specification has been withdrawn as necessitated by amendment.

The rejection of claims 1-19 under 35 U.S.C. 112 has been withdrawn as necessitated by amendment.

Response to Arguments

Applicant's arguments, see amendment, filed 23 December 2004, with respect to the rejection(s) of claim(s) 1, 3, 5-9, 11, 17-19, and 24-25 under 35 U.S.C. 102(e), and claim(s) 2, 4, 10, 12-16, and 20-23 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 35 U.S.C. 102(e) and 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10, and 17-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Parasnis (U.S. Patent 6,728,753 B1).

As per claim 1, Parasnis discloses an apparatus for capturing a live presentation including a means for capturing during the live presentation electronic still images for display by a display device which displays the electronic still images for viewing by an audience (See Parasnis, Column 4, lines 1-34), a means for recording the audio portion of a speaker's presentation during a live presentation (See Parasnis, Column 4, lines 66-67, and Column 5, lines 1-6), and a means for automatically synchronizing change over from one electronic still image to another with the audio recording (See Parasnis, Column 5, lines 7-15).

As per claim 2, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses that the means for capturing electronic still images includes a means for routing electrical signals intended to drive the display device to the means for synchronizing (See Parasnis, Column 4, lines 35-43).

As per claim 3, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses that the means for capturing is housed in an intermediate unit, such as a NetShow Server (See Parasnis, Column 19, lines 62-67, and Column 20, lines 1-3).

As per claim 4, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses that the means for capturing may be housed in the display device (See Parasnis, Column 20, lines 23-33).

As per claim 5, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses a media server that provides the synchronized still images and audio recording in an Internet format (See Parasnis, Column 20, lines 23-48).

As per claim 6, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses including an image projection device (See Parasnis, Column 20, lines 54-65).

As per claim 7, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses including means for imaging the person giving the live presentation (See Parasnis, Column 19, lines 50-54).

As per claim 8, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses a microphone adjacent to the person giving the live presentation (See Parasnis, Column 19, lines 62-67, and Column 20, lines 1-4).

As per claim 9, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses that the means for automatically synchronizing change over one still image to another still image with the audio recording includes a manual input for marking a change over event (See Parasnis, Column 4, lines 59-65).

As per claim 10, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses that the means for automatically synchronizing change over one still image to another still image with the audio recording includes means for automatically detecting a change over event (See Parasnis, Column 4, lines 39-48).

As per claim 17, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses including means for transmitting the captured still images and recorded

audio portion of a presentation to a network in a format suitable for viewing over the network (See Parasnis, Column 4, lines 43-51).

As per claim 18, Parasnis discloses the limitations of claim 17 as described above. Parasnis also discloses including means for sending the captured still images and audio recording to a client via the Internet (See Parasnis, Column 3, lines 55-61).

As per claim 19, Parasnis discloses the limitations of claim 1 as described above. Parasnis also discloses including means for converting the audio recording of the live presentation into a streaming format for transfer via the Internet (See Parasnis, Column 4, lines 30-34).

As per claim 20, Parasnis discloses a system for digitally recording and storing a lecture presentation using still images and audio including a still image generator for displaying a still image (See Parasnis, Column 3, lines 55-67), a capturing component to capture digital still image data from data used to generate the still image, which the still image is being displayed by the still image generator (See Parasnis, Column 4, lines 1-34), a receiving component configured to receive audio signals (See Parasnis, Column 19, lines 62-67, and Column 20, lines 1-4), a converting component configured to convert the audio signals into digital audio data (See Parasnis, Column 20, lines 3-22), and a computer including a memory for storing the captured digital still image data and the digital audio data (See Parasnis, Figure 20, element 22, and Column 8, lines 1-36).

As per claim 21, Parasnis discloses the limitations of claim 20 as described above. Parasnis also discloses that the system includes a computer connected to the Internet such that

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the client can access the stored digital still image data and the digital audio data via the Internet (See Parasnis, Figure 9, and Column 20, lines 34-48).

As per claim 22, Parasnis discloses the limitations of claim 20 as described above.

Parasnis also discloses that the still image generator displays the still image using an overhead transparency projector (See Parasnis, Column 19, lines 19-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parasnis (U.S. Patent 6,728,753 B1), as applied to claim 1 above, and further in view of Karam ("Visualization Using Timelines")

As per claim 11, Parasnis discloses the limitations of claim 1 as described above. Parasnis does not disclose expressly determining the location of an electronic pointer, associating a timestamp with a determined location, and storing the determined location of the point and the associated time stamp into memory. Karam discloses tracking the location of the cursor, or electronic pointer, and recording in memory a time stamp associated with the cursor position (See Karam, Page 132, Column 1, paragraph 2, and Column 2, paragraph 1). Parasnis and Karam are analogous art because they are from the same field of endeavor of synchronizing video and audio events. At the time of the invention it would have been obvious to a person of

ordinary skill in the art to include the recording of the cursor, or electronic pointer position with an associated time stamp of Karam with the capturing of a live presentation of Parasnis. The motivation for doing so would have been to allow a user to shift the position of all views of the live presentation to a certain timeline (See Karam, Page 132, Column 1, paragraph 2).

Therefore, it would have been obvious to combine Karam with Parasnis for the benefit of allowing a user to shift the position of all views of the live presentation to a certain timeline to obtain the invention as specified in claim 11.

Claims 12-15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parasnis (U.S. Patent 6,728,753 B1), as applied to claim 1 above, and further in view of Uchihashi ("Video Manga: Generating Semantically Meaningful Video Summaries")

As per claims 12-15, Parasnis discloses the limitations of claim 1 as described above. Parasnis does not disclose expressly a means for storing the captured still images, a means for searching the database, a means for creating a searchable transcript of text in the still images using optical character recognition (OCR), and auto-summarizing the transcript to generate a summary of the transcript. Uchihashi discloses storing captured images in a database (See Uchihashi, Page 388-389, Column 2, Section 6.2), providing search capabilities to search the database (See Uchihashi, Page 389, Column 1, paragraph 2), creating a searchable transcript of text in the images (See Uchihashi, Page 389, Column 1, paragraph 2), using optical character recognition to extract the text to create the transcript (See Uchihashi, Page 389, Column 1, paragraph 2), and automatically summarizing the transcript to generate a summary of the transcript (See Uchihashi, Page 388, Section 6.1). Parasnis and Uchihashi are analogous art

because they are from the same field of endeavor of manipulating electronic still images. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the stored images and searchable transcript of text of Uchihashi with the capturing of a live presentation of Parasnis. The motivation for doing so would have been to allow a user to quickly locate interesting passages within a long video using active interfaces (See Uchihashi, Page 389, Column 2, paragraph 2, and Page 391, Figure 12). Therefore, it would have been obvious to combine Uchihashi with Parasnis for the benefit of allowing a user to quickly locate interesting passages within a long video using active interfaces to obtain the invention as specified in claims 12-15.

As per claim 24, Parasnis discloses a computer readable medium containing instructions for controlled a data processing system to perform a method in a display system with a display device and a memory, the method including the steps of initiating display of an image (See Parasnis, Column 4, lines 1-34), automatically capturing image data from the image in response to the initiation (See Parasnis, Column 4, lines 1-34), receiving the image and audio signals associated with the captured still image (See Parasnis, Column 20, lines 4-22), and where the capturing step includes the steps of capturing audio data from the received audio signals, and storing the captured data in the memory of the display system (See Parasnis, Column 20, lines 4-22). Parasnis does not disclose expressly storing the captured image data in the memory of the display system. Uchihashi discloses storing the captured image data in a database (See Uchihashi, Page 388-389, Section 6.2).). Parasnis and Uchihashi are analogous art because they are from the same field of endeavor of manipulating electronic still images. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the

storing of image data of Uchihashi with the capturing of a live presentation of Parasnis. The motivation for doing so would have been to automatically create pictorial summaries of videos using automatic content analysis (See Uchihashi, Page 383, Section 2 – Introduction, paragraph 1). Therefore, it would have been obvious to combine Uchihashi with Parasnis for the benefit of automatically creating pictorial summaries of videos using automatic content analysis to obtain the invention as specified in claim 24.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parasnis (U.S. Patent 6,728,753 B1) in view of Uchihashi (“Video Manga: Generating Semantically Meaningful Video Summaries”), as applied to claim 14 above, and further in view of Lin (U.S. Patent 5,978,818).

As per claim 16, Parasnis and Uchihashi disclose the limitations of claim 14 as described above. Parasnis and Uchihashi do not disclose expressly a means for auto-outlining the transcript to generate an outline of the transcript. Lin discloses a method for providing an automated outline of a document. (See Lin, Column 2, lines 46-49). Parasnis, Uchihashi and Lin are analogous art because they are from the same problem solving area of processing electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the automated outlining method of Lin with the transcript of Parasnis and Uchihashi. The motivation for doing so would have been to provide a reader with a list of sections included in the transcript. (See Lin, Column 1, lines 59-66). Therefore, it would have been obvious to combine Lin with Parasnis and Uchihashi for the benefit of listing the sections contained in the transcript to obtain the invention as specified in claim 16.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parasnis (U.S. Patent 6,728,753 B1) as applied to claim 20 above, and further in view of Fujioka (U.S. Patent 5,414,481).

As per claim 23, Parasnis discloses the limitations of claim 20 as described above. Parasnis does not disclose expressly that the still image generator displays the still image using a paper document projector. Fujioka discloses the use of a paper image projector. (See Fujioka, Column 1, lines 6-9). Parasnis and Fujioka are analogous art because they are from the same problem solving area of displaying still images. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the paper image projector of Fujioka with the system for digitally recording and storing a lecture presentation of Parasnis. The motivation for doing so would have been to incorporate the use of an image projector for which special document preparation is not needed prior to use, and which is small, inexpensive, and easy to use. (See Fujioka, Column 1, lines 45-49). Therefore, it would have been obvious to combine Fujioka with Parasnis for the benefit of easily displaying the still images to obtain the invention as specified in claim 23.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parasnis (U.S. Patent 6,728,753 B1) in view of Uchihashi ("Video Manga: Generating Semantically Meaningful Video Summaries"), as applied to claim 24 above, and further in view of Karam ("Visualization Using Timelines").

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As per claim 25, Parasnis and Uchihashi disclose the limitations of claim 24 as described above. Parasnis and Uchihashi do not disclose expressly associating a time stamp with the video image data and the audio data to synchronize the video image data with the audio data. Karam discloses tracking the location of the cursor, or electronic pointer, and recording in memory a time stamp associated with the cursor position (See Karam, Page 132, Column 1, paragraph 2, and Column 2, paragraph 1). Parasnis, Uchihashi and Karam are analogous art because they are from the same field of endeavor of synchronizing video and audio events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the recording of the cursor, or electronic pointer position with an associated time stamp of Karam with the capturing of a live presentation of Parasnis and Uchihashi. The motivation for doing so would have been to allow a user to shift the position of all views of the live presentation to a certain timeline (See Karam, Page 132, Column 1, paragraph 2). Therefore, it would have been obvious to combine Karam with Parasnis and Uchihashi for the benefit of allowing a user to shift the position of all views of the live presentation to a certain timeline to obtain the invention as specified in claim 25.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Tanner (U.S. Publication 2002/0133520 A1) discloses a method of preparing a multimedia recording of a live presentation.


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- Myers discloses a multi-view intelligent editor for digital video libraries.
- Lienhart discloses a method of video abstracting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached at (571) 272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER